

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

BANC OF AMERICA INVESTMENT
SERVICES, INC.,

Plaintiff,

v.

JOSEPH G. BARDZILOWSKI,

Defendant.

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CIVIL ACTION NO. 06-618 (MLC)

MEMORANDUM OPINION

THE PLAINTIFF advising the Court that "the parties have settled this matter and are now in the process of preparing settlement documents" (3-3-06 Ltr.); and thus the Court intending to (1) vacate the order to show cause concerning a preliminary injunction (dkt. entry no. 2) without prejudice, and (2) dismiss the complaint (a) without costs and (b) without prejudice to reopen the action on good cause shown within 60 days if the settlement is not consummated; and the Court advising the parties that, even though the action will be marked as closed, to protect their interests they may (1) submit an original Stipulation of Dismissal, and (2) seek to rescind the bond posted herein upon such submission; and for good cause appearing, the Court will issue an appropriate order and judgment.

s/ Mary L. Cooper

MARY L. COOPER

United States District Judge